

REGULAR MEETING of the Burrillville Town Council held Wednesday, June 11, 2008 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe

MEMBERS ABSENT: None

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meetings held May 14 and May 28, 2008, the public hearing held May 22, 2008, and dispense with the reading of said minutes.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

3. Public Comment:

Bruce Rylah of Pascoag advised the Town Council that he would like

to ask a question related under item seven, unfinished business, when the item was taken up.

Michele Badessa of Glendale read a statement from Susan Kent of Benedict Road, who was unable to attend the meeting. The statement concerned budgetary increases related to operating expenses for the library, her opposition to projects such as expansion of the police station and senior center construction during economic difficulties, and her appeal that the Town Council seek means to reduce expenses.

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley announced a Book & Bake Sale sponsored by the Friends of the Jesse M. Smith Memorial Library on Saturday, June 14, 2008 from 10:00 A.M. to 2:00 P.M.

Councilor Kevin M. Blais noted his concern that the state had reduced the weight limit on the East Avenue bridge. Councilor Blais wondered if the Town could act to resolve the matter. He said that the Town Council had allocated funds to expedite earlier bridge projects to no avail. Councilor Blais encouraged residents to comply with the reduced weight limits. Michael C. Wood, Town Manager, indicated that the bridge for which the Council provided funding was expedited because of the Council's action; work is currently in the design stage, state funding is in place, and the work would be

completed in a reasonable period of time. The matter was discussed.

5. Petitions: None

6. Special Business

08-187 VOTED to grant a Hawkers & Peddlers License from Joe Mosley to demonstrate educational books and CDs to apply throughout the Town of Burrillville.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

7. Unfinished Business

08-175 Correspondence from John P. Mainville, Finance Director, regarding his recommendations to award bids.:

VOTED to award the bid for Deere 624E Loader parts to Schmidt Equipment, Inc., in the amount of \$23,520.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Cynthia L. Roe.

Discussion: Councilor Kevin M. Blais said that he had contacted the Manager with concerns and asked that someone be present at the meeting to respond. Michael C. Wood, Town Manager, said that Councilor Blais had not yet presented additional concerns as agreed. Mr. Wood indicated that he was prepared to answer the original questions raised by Councilor Blais.

Councilor Blais detailed concerns related to the bid for various parts. Councilor Blais' considered the RFP too vague. Councilor Blais said that he had inspected the equipment. Councilor Blais discussed the equipment, the use of the equipment, questioned the need for the various parts, and suggested repairs as an alternative to the parts requested. Councilor Blais indicated that he had questioned staff on the use of the equipment and the reason the specific parts were required. Councilor Blais recommended alternative uses of certain pieces of equipment.

Michael C. Wood, Town Manager, discussed the town's practices related to retaining and using equipment. Mr. Wood addressed the concerns that Councilor Blais had raised with him, based on the input of the Director of Public Works and Engineering Services. Councilor Cynthia L. Roe commented on the competence of the Department of Public Works' Director and Mechanic, noting that she was comfortable with the expenditure.

The motion carried, six in favor, one opposed. Voting in favor of the

motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

VOTED to award the bid for Deere 410E Backhoe parts to Schmidt Equipment, Inc., in the amount of \$16,425.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Cynthia L. Roe. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

VOTED to award the bid for Trackless Vehicle parts to Howard P. Fairfield, Inc. in the amount of \$11,028.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

8. New Business

08-188 Correspondence from Mark A. St. Pierre, Harrisville Fire Department, regarding his request that the Town Council request that the yield sign on East Avenue at the intersection with Harrisville Main St. be replaced with a stop sign; and the recommendation of Richard A. Bernardo, P.E., Director of Public Works and Engineering Services.

VOTED that the Council accept the Fire Chief's concerns and Mr. Bernardo's concerns; refer the issue to administration to be submitted to the State Traffic Commission for a safety review of that intersection for the purpose of placing a four-way stop or a stop light there.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees.

Discussion: Councilor Norman C. Mainville suggested that the Austin T. Levy School parking lot, in effect, creates a fourth ingress to the intersection. Concerns related to the intersection were discussed. The significance of a Town Council recommendation and the ultimate authority of the state over state roads was reviewed.

The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-189 Correspondence from Helen Moroney, President, Pascoag Public Library, regarding the Library's request that the Town Council vote favorably on awarding Pascoag Public Library the \$53,500 in the FY2009 budget, as recommended by the Town Manager.

MOTION to open.

Motion by Councilor Kevin M. Blais. There was no second.

VOTED to receive and file.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-190 FY 2009 Operating Budget:

1) VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding the recommended FY2009 Budget;

Michael C. Wood, Town Manager, referenced his June 6, 2008 memo, a copy of which is on file with the record of the meeting. Mr. Wood reviewed changes in revenue since the proposed budget was

presented, explaining revenues from the Sewer Commission. Mr. Wood said the projected tax increased was \$.25, rather than the original forty cent projection. Mr. Wood summarized areas for the Town Council's consideration that could result in adjustments to the proposed budget.

Michael C. Wood, Town Manager, commended the Budget Board for having developed a good budget recommendation. Mr. Wood offered data from neighboring communities FY2009 budgets and said that the Burrillville budget compares favorably.

There was discussion of state aid, revenues from the Sewer Commission, the impact of tax cap legislation on budgets and bond ratings, and special appropriations. Councilor Margaret L. Dudley proposed reductions to special appropriations, recommended that unused funds from FY2008 be carried forward to the line item for the Memorial Day Parade line item in the FY2009 budget, additions of \$37,000 to the School Department budget and \$20,000 for plowing. It was noted that the Pascoag Library board requested that the Town Council approve the appropriation recommended by the Town Manager. Councilor Dudley's proposal was discussed.

MOTION to cut ten percent from all special appropriation programs based on the 2008 money that they received from the Town.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Cynthia L. Roe. The motion failed, three in favor, four opposed.

Voting in favor of the motion were Councilors Kevin M. Blais, Margaret L. Dudley and Cynthia L. Roe. Council President Nancy F. Binns and Councilors Wallace F. Lees, John M. Karmozyn Jr. and Norman C. Mainville voted in opposition.

VOTED to appropriate an additional \$20,000 in the snow plowing account.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The motion carried, four in favor, three opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, and John M. Karmozyn Jr. Councilors Kevin M. Blais Norman C. Mainville and Cynthia L. Roe voted in opposition.

VOTED to restore \$37,000 requested by the School Committee.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Nancy F. Binns. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

VOTED to recess at 8:21 P.M.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

The Council returned at 8:45 P.M.

2) Resolution adopting the FYE June 30, 2009 Operating Budget; as follows:

BUDGET RESOLUTION

Fiscal Year Ending June 30, 2009

SECTION A.

That a resolution of the Town of Burrillville adopting the annual Town Budget for the 2008-2009 Fiscal Year be adopted.

Whereas, the Burrillville Town Charter provides in Article Ten for the budget process and specifically in Section 10.04 (F) for the final adoption of the Town Budget including School Operations.

And whereas, the final budget when adopted shall show a balance between authorized appropriation and anticipated receipts.

Now, therefore, be it resolved that the Town Council adopts a final budget for the 2008-2009 Fiscal Year of \$ 46,920,589. This total

budget is divided into the following Sections:

(1) Total Town Operating Appropriation: \$ 9, 748,364

(2) Total Town Indebtedness and Interest Appropriation: \$ 6,333,111

****NOTE 1**

(3) Total Other Transfers: \$ 11,400

(4) Total Town Capital Improvement Appropriation: \$ 2,460,714 **NOTE 2

(5) Total School Department Appropriation: \$27,637,000 **NOTE 3

(6) Overlay Variance Appropriation for Tax Abatements, Refunds and Uncollected Taxes:

\$ 730,000

Total Appropriation: \$46,920,589

The Total Adopted Departmental Budgets as recommended by the Town Manager, and amended by the Town Council, for the 2008-2009 Fiscal Year is attached and incorporated as part of this resolution.

SECTION B.

That the Town Council hereby orders the assessment and collection of a tax on ratable real estate and tangible personal property in a sum not less than \$ 20,410,537 and not more than \$ 21,140,537, based upon current estimated assessed valuations.

The Total Revenues allocated for Town and School Expenditures are broken out as follows:

(1) Total	Estimated	School	Department
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Revenues: \$12,743,671 **NOTE 3

(2) Total Estimated Town Non-Property Tax Revenues: \$12,567,441

(3) Total Funding Other Sources:

a. Spring Lake Fund

b. Burrillville Extended Care

c. Wastewater Treatment Fund

d. Debt Reduction Fund \$ 10,095

5,095

225,000

150,000

\$ 390,190 **NOTE 1

(4) Application of General Fund Balance: \$ 78,750 **NOTE 4

(5) Application of School General Fund Balance: \$ -0- _____

(6) Total Estimated Amount to be raised from Property Taxes:

Class I Real Estate and Tangible

Personal Property 88.75%

Class II Motor Vehicles 11.25%

\$ 18,762,227

2,378,310

Subtotal Estimated Amount –From Property Taxes \$ 21,140,537

Total Revenues: \$ 46,920,589

Total Estimated Net Assessed Valuations:

Class I Real Estate and Tangible Personal Property \$ 1,577,054,076

Class II Motor Vehicles \$ 59,428,410

Total Estimated Net Assessed Valuations \$ 1,636,482,486

The Estimated Percentage of the Tax Levy to be raised from:

Class I Property is Projected to be 88.75%

Class II Property is Projected to be 11.25%

The Total Tax Rates to raise the above percentages of the Tax Levy are to be no greater than:

Class I Real Estate & Tangible Personal Property \$11.89

Class II Motor Vehicle \$40.00

Any and all revenue/receipts (prior and current fiscal year ending 2008 shall be considered to be part of the general receipts of the Town and shall not supplement nor increase the amount appropriated to a specific department by the Town Council. This does not apply to direct reimbursements (e.g. insurance, grants, cancelled orders).

Subsequent to the adoption of this budget by the Town Council, should State Aid be higher than anticipated, the amount will be utilized to adjust the tax rate in lieu of increasing the related appropriations for Town and School Operations.

Municipal department expenses incurred during their normal operation that will result in the over expenditure of a given municipal

department's appropriation for the given year shall be balanced through transfers from the General Fund Contingency line item by the Finance Director who shall notify the Town Council of any transfer at the next Town Council meeting.

Now, therefore, be it further resolved, that the tax levy WILL NOT exceed the five percent (5.00%) annual cap as imposed by Rhode Island General Laws Chapter 44-5-2, as amended.

Said Taxes are for ordinary expenses, the payment of Town interest and indebtedness in whole or in part, the payment of the Town's proportion of the State Tax, and for other purposes authorized by law.

The Tax Assessor having assessed and apportioned said tax on the ratable property of said Town as of the 31st day of December 2007 at Twelve o'clock midnight, according to law, and shall on completion of said assessment, date, certify and sign the same and deliver to and deposit the same in the office of the Town Clerk, on or before June 15, 2008.

The Town Clerk on receipt of said assessment, shall forthwith make a copy of the same and deliver it to the Town Treasurer/Finance Director who shall forthwith issue and affix to said copy, a warrant under his hand, directed to the Collector of Taxes of said Town, commanding him to proceed and collect said tax of the persons and estates liable therefore, said tax shall be due and payable on the 15th

day of July, 2008.

Said tax may be paid in equal quarterly installments, the first installment of 25 per centum on or before the 1st day of August 2008 and the remaining installments as follows:

25 per centum on the 1st day of November 2008

25 per centum on the 1st day of February 2009

25 per centum on the 1st day of May 2009

Each installment of taxes if paid on or before the 1st day of each installment period successively and in order shall be free from any charges for interest.

If the first installment or any succeeding installment of taxes is not paid by the last day of the respective period or periods as they occur, then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of Twelve (12) per centum per annum from August 1, 2008.

This Resolution adopting the Budget for Fiscal Year Ending June 30, 2009 will become effective July 1, 2008 unless amendments are made prior to July 1, 2008.

****NOTE 1. This budget includes utilizing funds from the Town's Debt Reduction Fund for the purpose of funding a portion of outstanding**

annual debt obligation associated with the Callahan School Bond issue as provided in Section 2-113 [d] 4 of the Town Ordinances.

****NOTE 2.**

The Capital Portion of this budget, which does not include the use of Unreserved, Undesignated General Fund Balance, was adopted in accordance with the Town Charter Section 3.14 (j) at a Public Hearing held on March 26, 2008. As such, the Capital Budget as voted on March 26, 2008, is hereby incorporated into the overall budget for fiscal year ending June 30, 2009.

****NOTE 3. The School Department Expenditure and Revenue Appropriation does not incorporate State Aid targeted for several programs including the following: Student Equity, Technology, Early Childhood, Language Investment, and Professional Development, which shall be received by the Finance Director/Town Treasurer and accounted for separately by the School Department.**

****NOTE 4.**

The Operation Portion of this budget includes the use of Unreserved, Undesignated General Fund Balance in association with the acquisition of three [3] police vehicles for fiscal year ending June 30, 2009. The transfer of these funds requires the affirmative vote of six (6) Council members due to the appropriation of funds from the Unreserved Undesignated General Fund Balance [Town Charter 3.14 (j)].

Adopted as a resolution this 11th day of June 2008

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.

3) VOTED to adopt a resolution adopting the Extended Care Program FYE June 30, 2009 Operating Budget and Capital Program Budget, as follows:

**BURRILLVILLE TOWN COUNCIL
RESOLUTION**

The Town Council has previously established by ordinance an Extended Care Program within the Recreation Department. The ordinance requires the program to be self supporting.

The Extended Care Program request for funding for the fiscal year beginning July 1, 2008 and ending June 30, 2009 is \$429,800 for operations, based on expected revenue of \$435,000. The sum of \$429,800 is hereby appropriated subject to program receipts or grants totaling \$429,800. To the extent receipts fall short of projected

revenue, the appropriation is reduced to equal revenue receipts unless otherwise voted by the Town Council; and

The Extended Care Program does not have a request for capital improvement funding for the fiscal year beginning July 1, 2008 at this time. Note that past capital projects have been funded from the Extended Care Program Investment Account.

Adopted as a resolution this 11th day of June 2008

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

4) VOTED to adopt a resolution adopting the Spring Lake Beach FYE June 30, 2009 Operating Budget, as follows:

BURRILLVILLE TOWN COUNCIL

RESOLUTION

The Town Council has previously established the operation of the Spring Lake Beach within the Recreation Department. The Spring Lake Beach operation is intended to provide a program that is deemed to be self supporting.

The Spring Lake Beach Program request for funding for the fiscal year beginning July 1, 2008 and ending June 30, 2009 is \$127,000 based on expected revenue of at least \$127,000. The sum of \$127,000 is hereby appropriated subject to program receipts or grants totaling \$125,000. To the extent receipts fall short of projected revenue, the appropriation is reduced to equal revenue receipts unless otherwise voted by the Town Council.

Adopted as a resolution this 11th day of June 2008

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-191 VOTED to adopt a resolution establishing a summer school revolving fund, as follows:

**RESOLUTION ESTABLISHING
A SUMMER SCHOOL REVOLVING FUND**

The Finance Director is hereby authorized to establish a “Summer School Revolving Fund” for the benefit of the School Department’s Summer School Program.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for the operation of the Summer School Program from its operating budget.

(2) Receipts: All revenues from tuition, grants, or other funds received in connection with the Summer School Program shall be deposited in the Fund.

(3) Disbursements: Money shall be disbursed from the Fund upon receipt by the Treasurer's Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Summer School Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Summer School Program Revolving Fund authorization will expire June 30, 2009, unless extended by resolution of the Town Council.

Adopted as a resolution this 11th day of June 2008

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-192 Resolution establishing a preschool tuition revolving fund, as follows:

**RESOLUTION ESTABLISHING
A PRESCHOOL TUITION REVOLVING FUND**

The Finance Director is hereby authorized to establish a “Preschool Tuition Revolving Fund” for the benefit of the School Department’s Preschool Program.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for the operation of the Preschool Program from its operating budget.

(2) Receipts: The School Department may direct that funds

appropriated to the School Department operating funds be transferred to the Revolving Fund. In addition, all tuition, grants and other revenue received for the preschool program shall be deposited into the Fund.

(3) Disbursement: Money shall be disbursed from the Fund upon receipt by the Treasurer's Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Preschool Tuition Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Preschool Tuition Revolving Fund authorization will expire June 30, 2009, unless extended by resolution of the Town Council.

Adopted as a resolution this 11th day of June 2008

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the

motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-193 MOTION to consider and act on nomination(s) of member(s) of the canvassing authority, in accordance with RIGL §17-8-1; to be considered and acted on.

VOTED to table to the next meeting.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-194 Correspondence from Michael C. Wood, Town Manager, regarding his request that the Town Council consider appropriating \$5,000 for installation of security equipment at the Public Works facility.

MOTION to appropriate \$5,000 for installation of security equipment at the Public Works facility.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville.

AMENDMENT TO THE MOTION to allocate funds from the undesignated, unreserved fund.

Amendment by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville.

Discussion: There was discussion of the purpose of the increased security.

The motion, as amended, carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

08-195 VOTED to refer to the Screening Subcommittee the application from Barbara Schouboe for appointment to the Redevelopment Agency.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Pending and proposed legislation

08-196 VOTED to adopt a resolution in support of Senate Bill 2008 – S 3015, and act relating to courts and civil procedure – Cities and Towns, as follows:

**Burrillville Town Council Resolution
Supporting Legislative Amendments**

To Protect Rhode Island's Cities and Towns and Their Public Officials/Employees

WHEREAS, at the regular meeting of the Burrillville Town Council held on Wednesday, June 11, 2008, at 7:00 p.m. in the Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, at which time a quorum was present and acting throughout, the Burrillville Town Council discussed various legislative amendments intended to protect the public treasury and also to protect public officials and employees from suits against them in their personal capacities; and

WHEREAS, the Burrillville Town Council finds that cities and towns are being faced with ever increasing demands upon their finances and that public officials and employees are increasingly and unfairly confronted with threats of personal liability from their official acts on behalf of the public they serve; and

WHEREAS, the Burrillville Town Council finds that the legislative restrictions imposed upon the cities and towns relative to their ability to raise revenue have severely hampered the operations of municipal government; and

WHEREAS, the Burrillville Town Council finds that the current state of the law in Rhode Island imposes unfair burdens upon municipal government, its public officials and employees, and the taxpayers of Rhode Island's cities and towns due to a statutory scheme that imposes unreasonable liability upon the cities and towns of Rhode Island; and

WHEREAS, the Burrillville Town Council finds that legislative reform is necessary in order to adequately protect municipal governments, their officials and employees and the taxpayers from inequitable treatment due to the current state of the law with respect to municipal liability; and

WHEREAS, Senator V. Susan Sosnowski introduced legislation (S 3015) on May 8, 2008, that would ensure the equitable treatment of public entities by amending the following sections of the Rhode Island General Laws:

- 1. § 9-31-3 Limitation of damages – Cities, towns, and fire districts;**
- 2. § 10-6-2. "Joint tortfeasors" defined; and**
- 3. § 9-21-10. Interest in civil actions**

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Burrillville respectfully request that the General Assembly support S 3015.

BE IT FURTHER RESOLVED that the Burrillville Town Clerk is hereby instructed to submit a copy of this resolution to the Burrillville State Senators and State Representatives in the Rhode Island General

Assembly seeking their consideration and support of S 3015.

ADOPTED this 11th day of June 2008.

Discussion: In response to a question from Councilor Kevin M. Blais, Timothy F. Kane, Town Solicitor, explained that the legislation was intended to 1) reduce the interest that can be awarded when a municipality is sued; 2) prohibit suit against employees in their individual capacity unless there is an allegation of criminal conduct and 3) protect municipalities from joint and several liability.

Note: Councilor Kevin M. Blais recused from voting on item #08-196.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, six in favor, one recusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais recused.

Consider and Act on Other Pending and proposed legislation:

Council President Nancy F. Binns referenced House Bill 2008 – H 3335, which mirrors Senate Bill 2007 – S 3015, discussed above.

VOTED to notify the legislators to approve House Bill 2008 – H 3335.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr.

Note: Councilor Kevin M. Blais noted for the record that he was recusing from voting on this matter.

The motion carried, six in favor, one recusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais recused.

9. Town Clerk/Communication

08-197 Correspondence from Robert P. Picard, Chairman, Board of Directors and Jill E. Anderson, Executive Director, Senior Services, Inc., regarding the FY2009 budget and the Community Information Specialist program.

MOTION to receive and file. Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley.

Council President Nancy F. Binns asked that the item be opened for discussion.

VOTED to open the correspondence from Robert P. Picard, Chairman,

Board of Directors and Jill E. Anderson, Executive Director, Senior Services, Inc., regarding the FY2009 budget and the Community Information Specialist program.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: Council President Nancy F. Binns discussed the role of the community information specialist and the impact of the loss of the program. Council President Binns suggested that the Town Council consider asking the Town Manager to contact neighboring communities that benefit from the program and determine whether the communities might provide some funding.

VOTED to refer to the Town Manager and to request that our legislators see if there is any way they can reestablish the funding on the state level.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

10. Additional New Business:

08-198 VOTED to grant the request for Executive Session from Timothy F. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting [§42-46-5(a)(5)] to consider, discuss and act relative to the acquisition or disposition of property, relative to effectuating the sale of the Clocktower Building (A. Plat 160 Lot 65) and any parking easement (A. Plat 160 Lots 69 & 80) to Woonsocket Neighborhood Development Corporation d/b/a Neighborworks Blackstone River Valley Alliance.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Note: There was a recess before executive session.

The Town Council returned to open session at 9:26 P.M.

VOTED to seal the minutes of executive session, noting that one vote, as follows, was taken: VOTED to ratify and confirm all prior actions taken by the Town Council, Solicitor Kane and Town Manager Wood with respect to the sale of the Clocktower property (Assessor's Plat

160, Lot 65) to Woonsocket Neighborhood Development Corporation d/b/a/ Neighborworks Blackstone River Valley Alliance (WNDC) and authorize Solicitor Kane and Town Manager Wood to take all further action necessary to effectuate the sale of the Clocktower property to WNDC pursuant to that certain purchase and sale agreement and amendment thereto entered into between the Town, the Burrillville Redevelopment Agency (BRA) and WNDC, including the conveyance of a parking and utility easement over Assessor's Plat 160, Lots 68 and 80.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Norman C. Mainville. The motion carried, six in favor, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Cynthia L. Roe had left the meeting at the time the vote was taken.

11. VOTED to adjourn at 9:39 P.M.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The motion carried, six in favor, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Cynthia L. Roe had left the meeting at the time the vote was taken.

The meeting was taped. The tape is on file with the record of the meeting.

Louise R. Phaneuf, Town Clerk